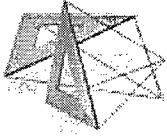


Libby - Public Health Emergency



1258395 - R8 SDMS

SF MT



Carol  
Campbell/R8/USEPA/US  
10/06/2008 09:35 AM

To "Penney Trujillo" <Trujillo.Penney@epamail.epa.gov>

cc

bcc

Subject Fw: Flathead Beacon: Baucus: White House 'Conspiracy'  
Blocked Libby Declaration - Public health emergency  
designation

~~Pls print~~

Wendy Chipp

----- Original Message -----

From: Wendy Chipp

Sent: 10/06/2008 09:05 AM MDT

Subject: Flathead Beacon: Baucus: White House 'Conspiracy' Blocked Libby  
Declaration - Public health emergency designation



Public health emergency designation

## Baucus: White House 'Conspiracy' Blocked Libby Declaration

By Myers Reece, 10-02-08

GRACE

U.S. Sen. Max Baucus has accused White House and Environmental Protection Agency officials of orchestrating a "conspiracy" by squashing a decision to declare a public health emergency in Libby three years after it was revealed more than 200 people died and another 2,000 fell ill because of asbestos exposure.

On Sept. 25 the U.S. Senate Environment and Public Works Committee (EPW) held a hearing to discuss a report released the previous day by Baucus, D-Mont., that describes a scenario in which top-level officials from the national Office of Management and Budget prevented the EPA from declaring Libby a public health emergency. Such a declaration would have authorized the EPA to do extensive clean-up work along with providing Libby residents increased health screening, basic services like oxygen – which many people need because of asbestos-related complications – and long-term medical health care.

At the hearing, the EPA's Assistant Inspector General for Investigations Stephen Nesbitt suggested that federal officials persuaded the EPA to cancel its plans to declare a public health emergency in fear that such a declaration would start a sweeping and costly national effort to clean up asbestos.

The 50-page report, which was compiled by Baucus and his staff, is based on more than 14,000 internal government documents including e-mails between federal officials.

"We've exposed the government," Baucus said in a conference call with reporters. "We've exposed the EPA and White House as the culprits."

"It's an outrage."

In 1999, it was revealed that more than 1,000 residents in Libby had fallen ill and more than 200 more had died because of long-term exposure to asbestos resulting from vermiculate mining. Large amounts of vermiculite containing asbestos were extracted from the mine by W.R. Grace & Co. to produce Zonolite, which was used for insulation throughout Libby and in millions of homes around the country. Also, asbestos was released into the air during the mining process, breathed in by locals and carried home on the clothes of miners.

W.R. Grace was blamed for ignoring and covering up the health dangers posed by asbestos exposure. In 2002, the EPA declared Libby a Superfund site and in 2005 seven current and former W.R. Grace executives were indicted on federal charges. Then in 2008, W.R. Grace agreed to pay \$250 million in Superfund clean-up costs, a record amount. But the lingering effects of the widespread asbestos contamination are still prevalent in Libby and Lincoln County Commissioner Marianne Roose is hoping for further action from the federal government, as well as toxicology studies.

"We are still waiting for EPA to declare a public health emergency in Libby," Roose, who was at the hearing, said. "It's needed now more than ever."

At the hearing Baucus was joined by Roose, Nesbitt and Dr. Brad Black, medical director of the Center for Asbestos Related Disease in Libby. The EPA told Baucus that the two officials he wanted to testify were unavailable. So Baucus then asked EPA Administrator Stephen Johnson to appear, but he declined. The EPA sent two other officials instead and Baucus angrily refused to let them testify. Calling it "stonewalling," Baucus said the refusal of Johnson and the others to appear in front of the EPW is a common practice of the EPA under the Bush administration.

"When requested, they don't appear," he said.

According to the report, in 2002 EPA staff working in Libby urged a public health emergency declaration. The report states that top-level EPA officials initially approved the declaration until a meeting was held on April 16, 2002 between officials from the EPA, OMB and other groups. At the time of this meeting, the report states, the EPA's Office of General Council was developing a new legal interpretation that labeled the Zonolite insulation as a "non-product" of the mine since it was not sold at stores and instead was picked out of scrap piles by locals. Around this time, the EPA dropped its declaration plans.

Baucus said he's "not going to rest" until a public health emergency is declared. He said he is considering proposing legislation.

"It's a huge disrespect for the law and it's a bigger disrespect for the people of Libby," Baucus said. "It's hard to even fathom."

**[End of article]**

**This article was printed from flatheadbeacon.com at the following URL:**

[http://www.flatheadbeacon.com/articles/article/baucus white house conspiracy blocked libby declaration/5821/](http://www.flatheadbeacon.com/articles/article/baucus%20white%20house%20conspiracy%20blocked%20libby%20declaration/5821/)